

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA


DAVID J. KILLIAN	:	CIVIL ACTION
	:	
v.	:	NO. 16-2874
	:	
CHRISTOPHER RICCHETTI	:	

ORDER

AND NOW, this 31st day of October 2016, upon consideration of Defendant's Motion for Summary Judgment (ECF Doc. No. 21), Plaintiff's Response (ECF Doc. No. 23), and for reasons in the accompanying Memorandum, it is **ORDERED** Defendant's Motion (ECF Doc. No. 21) is **GRANTED in part and DENIED in part**:

1. Defendant's Motion is **GRANTED** as to Plaintiff's breach of contract claim, and this claim is **DISMISSED**, as there are no genuine issues of material fact regarding the absence of a contract or the absence of a satisfied condition precedent to allow a claim for breach of contract; and,

2. Defendant's Motion for Summary Judgment on Plaintiff's promissory estoppel, unjust enrichment and *quantum meruit* claims is **DENIED** as there are genuine issues of material fact for each of those claims necessary for fact resolution at trial.



KEARNEY, J.